

// A regular meeting of the Council of the City of Lynchburg was held on the 23rd day of November, 2004, at 5:00 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Mayor Hutcherson gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Absent: Johnson 1

// Copies of the minutes of the November 9, 2004 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Seiffert, seconded by Council Member Helgeson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Noes: 0

Absent: Johnson 1

// In the matter of Police - General, Resolution #R-04-134 amending the FY 2005 City/Federal/State Aid Fund budget and appropriating \$4,500, fully reimbursable, for carrying out selective enforcement activities and investigations targeting DUI and other traffic safety violations, laid over from the November 9, 2004 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Noes: 0

Absent: Johnson 1

// In the matter of Police - General, Resolution #R-04-135 amending the FY 2005 City/Federal/State Aid Fund and appropriating \$10,000, fully reimbursable, for selective enforcement activities targeting DUI and other safety violations, laid over from the November 9, 2004 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Noes: 0

Absent: Johnson 1

// In the matter of Public Works - General, Resolution #R-04-136 appropriating \$8,941, fully reimbursable, for the continuation of litter control and recycling activities for FY 2005, laid over from the November 9, 2004 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson 6

Noes: 0

Absent: Johnson 1

// In the matter of Library - General, Resolution #R-04-137 amending the FY 2005 City/Federal/State Aid Projects Fund and appropriating \$38,507, fully reimbursable, to enhance early childhood literacy and

promote effective parenting, laid over from the November 9, 2004 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson	6
Noes:	0
Absent: Johnson	1

// In the matter of Human Services - General, Resolution #R-04-138 amending the FY 2005 City/Federal/State Aid Projects Fund and appropriating \$87,000, fully reimbursable, for the Juvenile Detention Alternatives Initiative, laid over from the November 9, 2004 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Helgeson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Seiffert, Hutcherson	6
Noes:	0
Absent: Johnson	1

// Council Member Johnson arrived at 5:02 p.m.

// City Council recognized and presented certificates to the graduates of the City's second Citizens Academy.

// City Council recognized News & Advance reporter Emily Battle, and wished her well on her new position in the Fredericksburg area.

// Mayor Hutcherson announced that Lynchburg has been designated as a Preserve America Community.

// In the matter of Community Planning - General, a public hearing was held regarding City Council Report #7 regarding a proposal to place a conservation deed restriction on approximately 1.3 acres of riparian buffer area that is located in the Sandusky Park. City Attorney Walter Erwin outlined the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote adopted Resolution #R-04-144, as presented, giving Home Depot, Inc., permission to plant native trees and shrubs on approximately 1.3 acres located in the Sandusky Park and authorizing the placement of a conservation deed restriction on the 1.3 acres in the Sandusky Park where the trees and shrubs are planted:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson	7
Noes:	0

// In the matter of Community Planning - General, a public hearing was held regarding City Council Report #8 regarding the sale of City-owned property at 1000 Jefferson Street to Rodney Taylor and authorizing the City Manager to execute a development agreement for rehabilitation of the property. Community Planning Director Rachel Flynn along with City Manager Kimball Payne outlined the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Vice Mayor Foster, seconded by Council Member Gillette, Council by the following recorded vote

introduced and laid over to a later meeting for final action Resolution #R-04-145, as presented, authorizing the sale of City-owned property, i.e., the structure and land to be determined by survey at 1000 Jefferson Street, to Rodney Taylor for \$1.00 for rehabilitation of said property within three years from the date of the conveyance of the property, and authorizing the City Manager to execute the appropriate documents for the sale of the property:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

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// In the matter of Community Planning - General, a public hearing was held regarding City Council Report #9 regarding the sale of City-owned property at 1016 Jefferson Street to Oliver Kuttner and authorizing the City Manager to execute a development agreement for rehabilitation of the property. Community Planning Director Rachel Flynn outlined the request. Mr. Oliver Kuttner provided an overview regarding the proposal he submitted for the rehabilitation of the building. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Johnson, seconded by Vice Mayor Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-146, as presented, authorizing the sale of City-owned property, i.e., the structure and land to be determined by survey at 1016 Jefferson Street, to Oliver Kuttner for \$1.00 for rehabilitation of said property within three years from the date of the conveyance of the property, and authorizing the City Manager to execute the appropriate documents for the sale of the property:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

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// In the matter of Airport - General, a public hearing was held regarding City Council Report #10 regarding the execution of agreements between the City of Lynchburg/Lynchburg Regional Airport and Hertz, Avis, Enterprise, and Budget car rental companies for rental car concessions and leases at the Airport. Airport Director Mark Courtney outlined the request and asked for approval. There was no one else present who wished to speak to this item. On motion of Council Member Dodson, seconded by Council Member Seiffert, Council by the following recorded vote adopted Resolution #R-04-148, as presented, approving the execution of agreements between the City of Lynchburg/Lynchburg Regional Airport and Hertz, Avis, Enterprise, and Budget car rental companies for rental car concessions and leases at the Airport:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

// In the matter of Cable Television, Mr. Carlton Duck offered some insight regarding the current cable television contract negotiations between the City and Adelphia. Mr. Duck suggested that a citizen committee be established to advise and assist City staff on improvements for the new contract with the cable carrier. City Manager Kimball Payne stated that an update regarding the status of the cable television negotiations with Adelphia is scheduled for the January work session.

// In the matter of Industrial Development Authority, City Council Report #12 was considered. Mr. Ted Craddock, the attorney for the Lynchburg Industrial Development Authority, outlined the request. On

motion of Council Member Dodson, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-04-148, as presented, authorizing Industrial Development Authority issuance of \$7,000,000 industrial development revenue bonds to Lynchburg College:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, City Council Report #13 was considered. Airport Director Mark Courtney outlined the request. On motion of Vice Mayor Foster, seconded by Council Member Helgeson, Council by the following recorded vote adopted Ordinance #0-04-149, as presented, amending the City Code to incorporate the new Airport Minimum Standards for Aeronautical Services or Activities at the Lynchburg Regional Airport:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Parks and Recreation - General, City Council Report #14 was considered. City Manager Kimball Payne outlined the request. On motion of Council Member Dodson, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-150, as presented, amending the FY 2005 General Fund Budget and appropriating \$80,600 for the purchase of property located on Old Langhorne Road, adjacent to the Ed Page Entrance to the James River Heritage Trail:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was recessed at 6:04 P.M. to December 14, at 1:00 P.M., to conduct a work session regarding several items.

Clerk of Council